



## ***City of El Paso – City Plan Commission Staff Report***

**Case No:** PZDS16-00005  
**Application Type:** Detailed Site Development Plan Review  
**CPC Hearing Date:** April 7, 2016  
**Staff Planner:** Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov  
**Location:** East of Yarbrough and South of Valley View  
**Legal Description:** Portion of Tract 2 and 3, Block 6, Christy Tract, City of El Paso, El Paso County, Texas  
**Acreage:** 1.118 acres  
**Rep District:** 7  
**Current Zoning:** C-1/sc (Commercial/special contract)  
**Existing Use:** Vacant  
**C/SC/SP/ZBA/LNC:** Special contract imposed by Ordinance No. 8708, dated June 24, 1986  
**Request:** Detailed Site Development Plan Review  
**Proposed Use:** Apartments  
**Property Owner:** MARFAM Enterprises, LTD  
**Representative:** Design Alliance, LLC

### **SURROUNDING ZONING AND LAND USE**

**North:** R-F (Ranch-Farm) and R-3 (Residential) / Vacant

**South:** R-F (Ranch-Farm) / Vacant

**East:** R-F (Ranch-Farm) and R-3A/sc (Residential/special contract) / Vacant and Single-family dwelling

**West:** A-2 (Apartment) and R-4 (Residential) / Apartments and Duplexes

**PLAN EL PASO DESIGNATION:** G-3 Post-War (Mission Valley Planning Area)

**NEAREST PARK:** J.P. Shawver Park (1,347 feet)

**NEAREST SCHOOL:** Rio Bravo Middle School (1,925 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Mission Valley Civic Association

Save the Valley 21

### **NEIGHBORHOOD INPUT**

Detailed Site Development Plan Review does not require public notification as per Section 20.04.520, *Notice of the El Paso City Code*.

### **CASE HISTORY**

On June 24, 1986, City Council approved Ordinance No. 8708 (Attachment 5), rezoning the subject property and imposing conditions by a special contract as follows:

- 1. Prior to the issuance of any building permits, a detailed site development plan must be approved by the City Plan Commission and the Mayor and City Council.*

The present detailed site development plan review has been submitted to fulfill this condition.

### **APPLICATION DESCRIPTION**

The detailed site development plan shows 24 apartment units totaling 20,376 sq. ft. on a currently vacant 1.118 acre parcel. The development requires 48 parking spaces and proposes 46 parking spaces and 6 motorcycle parking spaces to substitute for the remaining 2 vehicular spaces as permitted by code. All ADA

and bicycle parking requirements are being met. Access to the subject property is proposed from Valley View.

### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **APPROVAL** of the detailed site development plan request as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan.

### **ANALYSIS**

20.04.140 When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

*A detailed site development plan review is required due a condition imposed on the subject property. Ordinance No. 8708 requires that a detailed site development plan be approved by the City Plan Commission and the El Paso City Council.*

20.04.150 Procedure.

- C. Administrative approval. Detailed site development plans meeting the following conditions shall be reviewed and approved by the zoning administrator:
1. The site is two acres or less in size, and
  2. The site plan contains no more than two buildings, and
  3. The site plan complies with any zoning conditions and all city code provisions, to include the tables for uses and density and dimensional standards and;
  4. The city's department of transportation has no concerns with access or restriction of access to the site; and,
  5. The site plan complies with staff recommendations concerning the location of stormwater drainage structures and easements to include onsite ponding areas; the location and arrangement of structures, vehicular and pedestrian ways; open spaces and landscape planted areas. Staff recommendations shall not require that the site plan have landscaping in excess of what is required under the city code or any zoning condition. If the zoning administrator does not approve an applicant's detailed site development plan, the applicant may appeal the decision to the city plan commission. The applicant must file the appeal with the zoning administrator within fifteen business days from the date of the zoning administrator's decision. The zoning administrator shall place the appeal on the city plan commission agenda to be heard by the commission within thirty business days from the date the appeal was received. The zoning administrator shall include the detailed site plan, the appeal, and a summary of the zoning administrator's reasons for disapproving the detailed site plan.

*This detailed site development plan is not eligible for administrative approval as the condition requires approval by the City Plan Commission and the El Paso City Council.*

- D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.
1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
  2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
  3. The commission shall consider the following information when approving a proposed

detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and stormwater drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.

4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

*Planning Staff has reviewed the detailed site development plan and recommends approval as it meets all of the requirements.*

#### **Plan El Paso- Future Land Use Map Designation**

All applications for detailed site plan review shall demonstrate compliance with the following criteria:

G-3 – Post War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the C-1 (Neighborhood Commercial) district is to provide compatible neighborhood convenience goods and services that serve day-to-day needs. Permit locations for business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

#### **COMMENTS:**

##### **Planning and Inspections Department - Planning Division – Transportation**

No objections. All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

##### **Planning and Inspections Department – Plan Review**

No objections to proposed DSDP. Upon submittal construction documents will need to comply with all applicable provisions of the IBC, TAS and local building and landscape code.

##### **Planning and Inspections Department - Land Development**

1. Clarify labels for ponding areas and what LA stands for. Include the word “private” to the ponding area descriptions.
2. Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. The applicant may need to seek re-approval of the site plans from CPC if there is a failure to comply.

##### **Planning and Inspections Department - Landscape**

No objections to proposed DSDP. Upon submittal construction documents will need to comply with all applicable provisions of the IBC, TAS and local building and landscape code.

##### **Sun Metro**

We ask that your contractor coordinate with us so that we may set up a temporary bus stop area during construction. If we are in concurrence Sun Metro accepts your plan and we thank you for your cooperation and assistance in providing accessibility to the bus stop.

**Fire Department**

EPFD recommends approval.

**Texas Gas Service**

Texas Gas does not foresee any issues in the construction of this development, if the property owner will require natural gas services to please contact us so we can determine the capacities required and easements inside the site.

**El Paso Water Utilities - Stormwater**

1. Provide an acceptable drainage plan in accordance with Section 19.01.050 of the current city ordinance.
2. At the improvement plan stage, provide protection to the subdivision from all offsite stormwater runoff that may have an adverse impact on any improvements.
3. Proposed ponding areas shall have enough capacity to hold the developed runoff for a designed 100-yr storm event.

**El Paso Water Utilities**

EPWU-PSB Planning & Development Section does not object to this request.

**Water:**

1. There is an existing 6-inch diameter water main located along the north side of Valley View Dr. This water main is available for service.
2. There is an existing 6-inch diameter water main located along the west side of Yarbrough Dr. This water main is available for service.
3. Previous water pressure readings from fire hydrant #2757 located west side of Valley View Dr. and Yarbrough Dr. has yielded a static pressure of 100 (psi), a residual pressure of 90 (psi), and a discharge of 1,300 gallons per minute.
4. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

**Sanitary Sewer:**

1. There is an existing 8-inch diameter sanitary sewer main located along the south side of Valley View Dr. This sewer main dead-ends 465-feet west of the western right-of-way line of Schwabe St. This sanitary sewer main is available for service.
2. There is an existing 8-inch diameter sanitary sewer main located along the west side of Yarbrough Dr. This sanitary sewer main is available for service.
3. There is an existing 8-inch diameter sanitary force main along Yarbrough Dr. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

**General:**

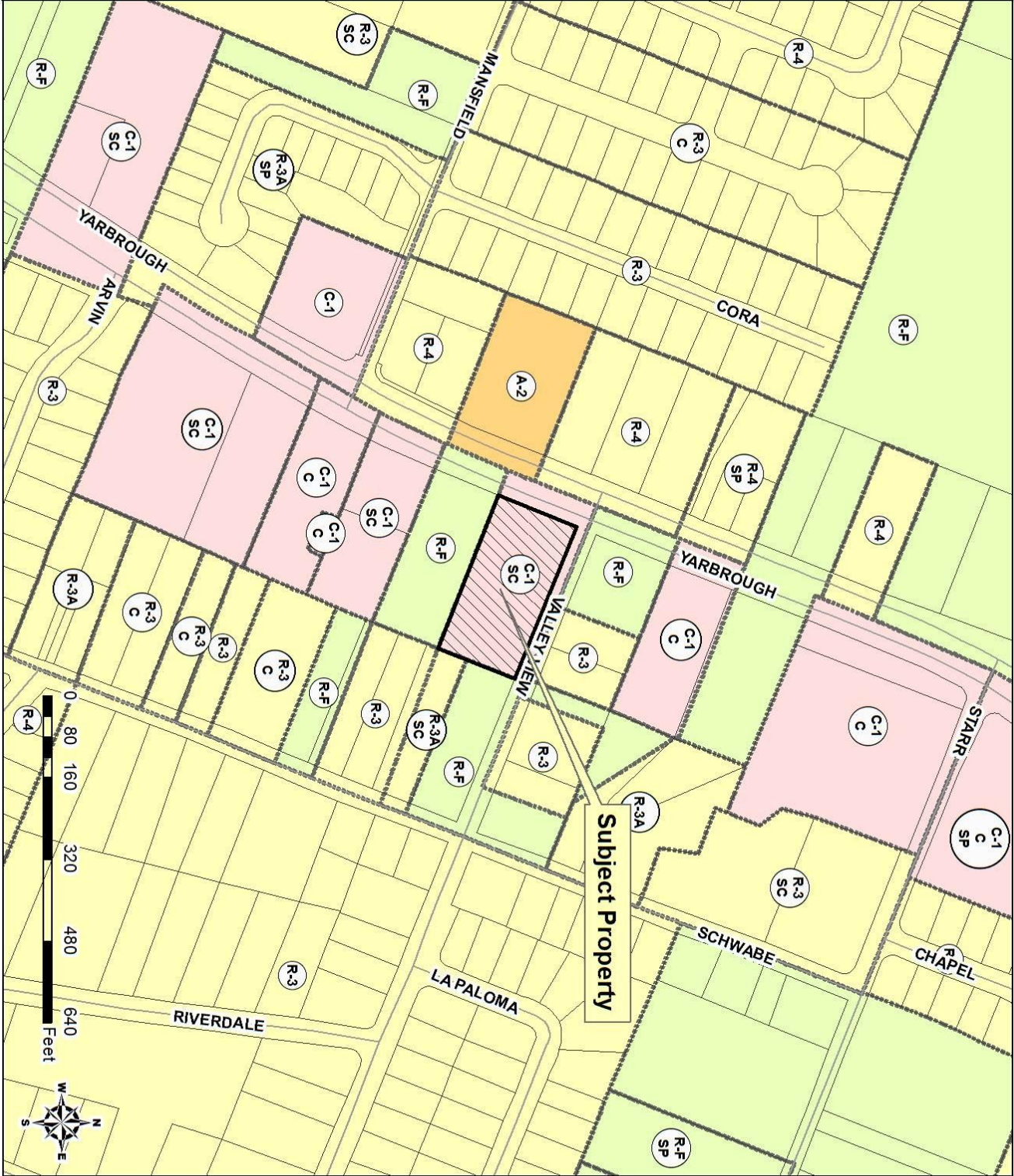
1. EPWU-PSB requires a new service application for service to the property. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities – Public Service Board (EPWU-PSB) Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

**Attachments**

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Ordinance No. 8708

ATTACHMENT 1: ZONING MAP

PZDS16-00005





ATTACHMENT 2: AERIAL MAP

PZDS16-00005





The site plan illustrates a proposed 12-unit, two-story apartment building. The building is divided into two wings, A and B, each containing six units. The units are labeled as follows:

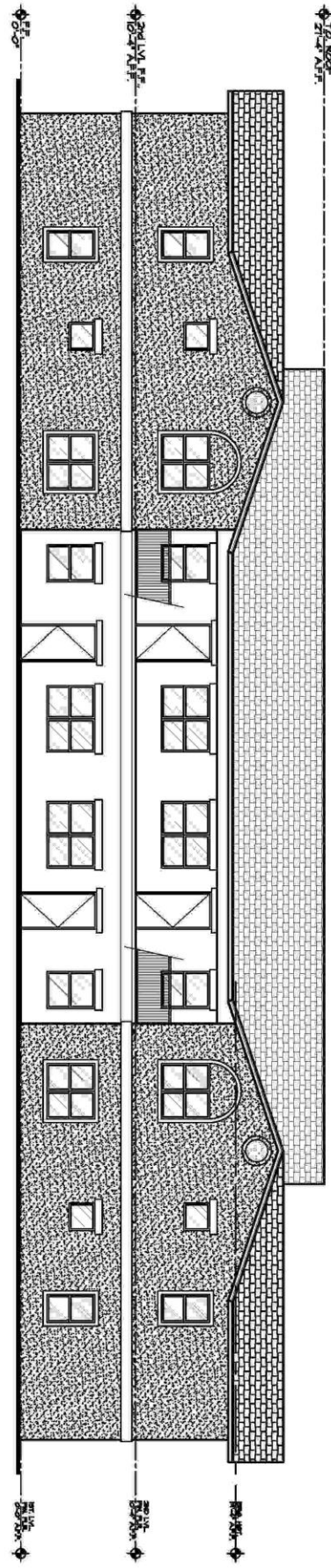
- Wing A: Unit 1 (1,720 sqft), Unit 2 (1,720 sqft), Unit 3 (6,748 sqft), Unit 4 (6,748 sqft), Unit 5 (6,748 sqft), Unit 6 (6,748 sqft)
- Wing B: Unit 1 (1,720 sqft), Unit 2 (1,720 sqft), Unit 3 (6,748 sqft), Unit 4 (6,748 sqft), Unit 5 (6,748 sqft), Unit 6 (6,748 sqft)

The plan also shows various setbacks and landscaping features:

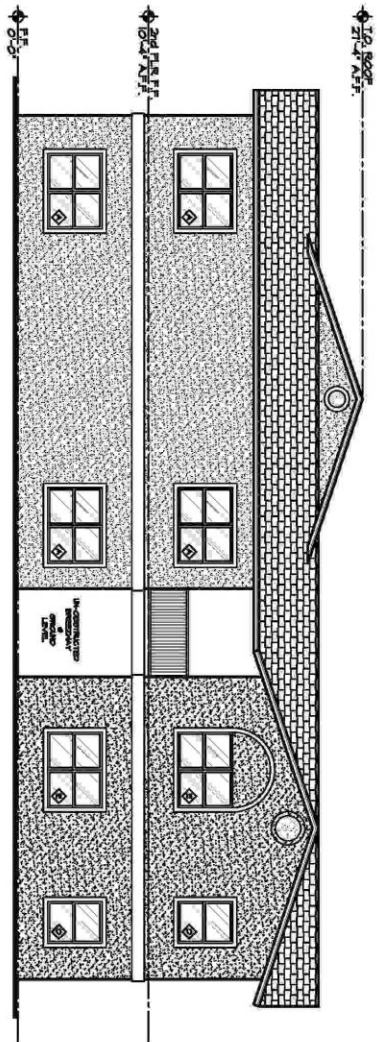
- Setbacks:** 10'-0" front setback, 5'-0" side setback, 25'-0" rear setback, and 10'-0" side street setback.
- Landscaping:** 10'-0" landscape buffer, private ponding, and various trees and shrubs.
- Parking:** 12 parking spaces, including compact and standard spaces.
- Other Features:** Bike rack, utility room, and various setbacks and dimensions.



# ATTACHMENT 4: ELEVATIONS



2 EXT. FRONT ELEVATION  
SCALE: 1/8"=1'-0"



3 EXT. SIDE ELEVATION  
SCALE: 1/8"=1'-0"

ATTACHMENT 5: ORDINANCE NO. 8708

008708

AN ORDINANCE CHANGING THE ZONING  
OF PORTIONS OF TRACTS 2 AND 3, BLOCK 6, CHRISTY TRACT,  
THE PENALTY BEING AS PROVIDED IN  
SECTION 25-96 OF THE EL PASO CITY CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of portions of Tracts 2 and 3, Block 6, Christy Tract, as more particularly described by metes and bounds in the attached Exhibit "A," be changed from R-F (Ranch/Farm) to C-1 (Commercial) within the meaning of the zoning ordinance, subject to a special contract placing certain restrictions, conditions and covenants on the property, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this 24<sup>th</sup> day of June, 1986.

Jonathan W. Rogers  
Mayor

ATTEST:  
Carole Hunter  
City Clerk

APPROVED AS TO FORM:

John R. Bath  
Assistant City Attorney

APPROVED AS TO CONTENT:

Ray Dillard  
Planning Department

I certify that the zoning map has been revised to  
reflect the amendment of ordinance #8708  
By R. Dillard Date 10-24-86

I CERTIFY THAT THE FOLLOWING ZONING MAPS  
HAVE BEEN REVISED: L.D.  
10-24-86 COUNTER  
10-24-86 ORIGINAL  
10-24-86 By: Inspection  
10-24-86 CONTROL R. Dillard

008708

Contract 6-24-86

86-5170  
OCT 24 1986  
DEPARTMENT  
PLANNING

ATTACHMENT 5: ORDINANCE NO. 8708 (CONTINUED)

008708

PROPERTY DESCRIPTION

BEING the description of a parcel of land and being a portion of Tracts 2 and 3, Block 6 of Christy Tract in ~~Block 31~~ of Ysleta Grant in El Paso County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a point, said point being the point of intersection of the southwesterly R.O.W. line of Valley View Drive and the northwesterly R.O.W. line of Schwabe Road; thence along the southwesterly R.O.W. line of Valley View Drive North 71° 10' 00" West a distance of 309.66 feet to the Point of Beginning of the parcel of land being described;

THENCE South 18° 47' 00" West a distance of 161.34 feet to a point;

THENCE North 71° 10' 00" West a distance of 304.15 feet to a point in the southeasterly R.O.W. line of Yarbrough Drive Extension;

THENCE along the southeasterly R.O.W. line of Yarbrough Drive Extension 69.74 feet along the arc of a curve to the left whose radius is 4244.71 feet, whose angle of intersection is 00° 56' 29", and whose chord bears North 19° 15' 15" East a distance of 69.74 feet to a point;

THENCE continuing along the southeasterly R.O.W. line of Yarbrough Drive Extension North 18° 47' 00" East a distance of 61.57 feet to a point;

THENCE continuing along the southeasterly R.O.W. line of Yarbrough Drive Extension 31.43 feet along the arc of a curve to the right whose radius is 20.00 feet, whose angle of intersection is 90° 03' 00", and whose chord bears North 63° 48' 30" East a distance of 28.30 feet to a point;

THENCE continuing along the southeasterly R.O.W. line of Yarbrough Drive Extension North 18° 50' 00" East a distance of 10.01 feet to a point in the southwesterly R.O.W. line of Valley View Drive;

THENCE along the southwesterly R.O.W. line of Valley View Drive South 71° 10' 00" East a distance of 283.54 feet to the Point of Beginning of the parcel of land being described and containing 1.118 acres of land more or less.

008708

86-5170



ATTACHMENT 5: ORDINANCE NO. 8708 (CONTINUED)

THE STATE OF TEXAS )  
 )  
COUNTY OF EL PASO )

CONTRACT

THIS CONTRACT, made this 24<sup>th</sup> day of June, 1986, by and between DANIEL S. GUILLEN, First Party, and the CITY OF EL PASO, Second Party, witnesseseth:

Application has been made to the City of El Paso for rezoning portions of Tracts 2 and 3, Block 6, Christy Tract, City and County of El Paso, Texas, which are more particularly described by metes and bounds in the attached Exhibit "A" which is made a part hereof by reference.

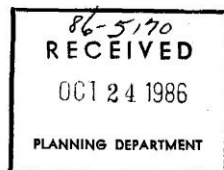
To remove certain objections to such rezoning, First Party covenants that if the property is rezoned from R-F (Ranch/Farm) to C-1 (Commercial) District within the meaning of the zoning ordinance of the City of El Paso, it shall be subject to the following restrictions, conditions and covenants:

Prior to the issuance of any building permits, a detailed site development plan must be approved by the City Plan Commission and the Mayor and City Council.


This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Party and his successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity, or necessitating the amendment of, the ordinance passed by the City Council embodying this change of zoning and subject to this contract.

WITNESS THE FOLLOWING SIGNATURES AND SEALS.



FIRST PARTY

  
Daniel S. Guillen

ATTACHMENT 5: ORDINANCE NO. 8708 (CONTINUED)

THE CITY OF EL PASO  
Second Party

By \_\_\_\_\_  
Mayor

ATTEST:

Carol Hunter  
City Clerk

APPROVED AS TO CONTENT:

Ray Wilford  
Planning Department

APPROVED AS TO FORM:

John R. [Signature]  
Assistant City Attorney

THE STATE OF TEXAS )  
COUNTY OF EL PASO )

This instrument was acknowledged before me on this 21 day  
of October, 1986, by DANIEL S. GUILLEN.

My Commission Expires:

3-1-87

THE STATE OF TEXAS )  
COUNTY OF EL PASO )

This instrument was acknowledged before me on this 20<sup>th</sup> day  
of June, 1986, by JONATHAN W. ROGERS, as Mayor  
of the City of El Paso.

My Commission Expires:

4-30-88

Sharon Rodgers  
Notary Public, State of Texas

RECEIVED

OCT 24 1986

PLANNING DEPARTMENT

ATTACHMENT 5: ORDINANCE NO. 8708 (CONTINUED)

008708

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THENCE North  $71^{\circ} 10' 00''$  West a distance of 304.15 feet to a point in the southeasterly R.O.W. line of Yarbrough Drive Extension;

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008708

86-5170

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